

These minutes have not been approved by the Board

MINUTES OF THE CONFERENCE CALL MEETING
BOARD OF MASSAGE THERAPY

December 10, 2021

1. CALL MEETING TO ORDER AND ROLL CALL

The conference call meeting of the Board of Massage Therapy was called to order by Steven Carper, Vice-Chair, at 9:00 a.m. in the Licensure Unit, Conference Room 5A, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 12.03.2021.

The following members answered roll call:

Members Present on call (3):

Steven Carper, Vice-Chair (on call)
Michele Helaney, Secretary (on call)
Kristine Roberts, Member (in room)

Members Absent (1):

Mallory Carstens, Member

Others Present (6):

Kris Chiles, Program Manager, Licensure Unit (in room)
Carrie Oldehoeft, Board Coordinator (in room)
Mindy Lester, Assistant Attorney General (in room)
Teresa Hampton, DHHS Attorney (on call)
Public, (on call)

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Helaney moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

Introduction of new member: Kristin Roberts, introduced herself and told some about her professional and personal life.

3. APPROVAL OF MINUTES

MOTION: Roberts moved, seconded by Helany, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney (2). Voting nay: None (0). Absent: Carstens (1). Abstained: Roberts (1) Motion carried

4. UPDATES AND REPORTS

- a. 2022 Legislative Session-Reflexology (NE_AMTA and Board)
Cuddley updates LB211, explained where it stands and processing distributed amendments. Board discussion with NE-AMTA amendments to original bill. 407-Review done no need found to removed, committees opposition to be pulled out to be its' own profession.

9:05 a. m. Cue entered room

9:12 a.m. Harrison entered room

9:12 a.m. Meiersen entered room

Chiles reported admindment 562 will be under the Uniform Credential Actin and what is striked out. LB211 is going to floor and will not be coming to committee again.

- b. Nebraska Chapter of the American Massage Therapy Association (NAMTA) <http://www.amtane.org>
NE-AMTA up for elections.

April 1 and 2, 2022 Spring Convention will be in Omaha, NE

- c. Federation of State Massage Therapy Boards (FSMTB) <https://www.fsmtb.org>

Annual meeting was in October, Carper attended the virtually short meeting, no updates, elections held and changes of Policies. No updates on COMPAC, meeting in September was for technical review, after the meeting nothing was forwarded to states as of yet. States are able to choose to be part of the COMPAC, but are not required. Legislation has to be passed for Nebraska to be part of the COMPAC.

Public, comment not in favor of the COMPAC due to education concerns.

- d. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non Disciplinary Information, and School Report

Date of Reports: 1.1.2021 to 11.19.2021 attached to agenda

5. CLOSED SESSION

Investigative Reports and Other Confidential Information

MOTION: Roberts moved, seconded by Helaney, to enter into closed session at 9:41 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Carper repeated the motion and purpose. A roll call vote was taken. : Helaney moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

9:42 a.m. Carper exited the call
9:46 a.m. Carper entered the call
9:58 a.m. Meier exited the room
10:01 a.m. Cue exited the room

6. OPEN SESSION

Review, Recommendations, and Report Out (Applications, Mail Ballot Voting Results, and Reinstatements)

Members agreed to return to open session at 10:08 a.m.

10:09 a.m. Harrison exited room

Latoya Prince -Reinstatement

MOTION: Helaney moved, seconded by Roberts, to recommend issuance, to recommend a 6-month probationary reinstatement with the following terms and conditions: Successfully complete the jurisprudence examination and the Standard Terms and Conditions of probation. Basis: Unlicensed operation. A roll call vote was taken. A roll call vote was taken: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

8. ANNUAL BUSINESS

- a. Schedule 2022 Meetings dates: February 4 (virtual), June 10, August 12, October 28 and December 2 (virtual)
- b. Approval of Method of Noticing Meeting Agendas
Current method is post in the licensure unit lobby, on our website and by email to those who want an email

MOTION: Roberts moved, seconded by Carper, to approve the current method of notice. A roll call vote was taken. : Helaney moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

c. Board Member Per Diems and Compensation Recommendations
(Neb. Rev. Stat. §38-171)

38-171. Board; advisory committee or body; compensation; limitation; expenses.

Each member of a board shall, in addition to necessary traveling and lodging expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting business. Traveling and lodging expenses shall be on the same basis as provided in sections 81-1174 to 81-1177. The compensation per day shall not exceed fifty dollars and shall be determined by each board with the approval of the department. Persons serving on an advisory committee or body under section 38-161 shall receive remuneration of expenses as provided in sections 81-1174 to 81-1177, including compensation for time spent in traveling to and from the place of conducting business, and a per diem of fifty dollars.

All board members verbally agreed on the current per diem amount of \$50. Additionally, if a board member testifies or represents the board, they can get an additional per diem.

d. Elections and Appointments

- Election of Officers

Current Officers: Vice-Chair: Carper and Secretary: Helaney

Nominations made as follows: Chair: Carper, Vice-Chair Carstens and Secretary: Helaney

MOTION: Roberts moved, seconded by Carper, to approve the Election of Officers. A roll call vote was taken. : Helaney moved, seconded by Roberts, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

- Appointment of Investigative Consultant, Education Reviewer, FSMTB representative
Helaney volunteered for Investigative Consultant, Roberts as Education Reviewer and Carstens as the FSMTB representative

9. ADJOURNMENT

The next meeting is scheduled for February 4, 2022 and will be set as a conference call. There was no further business and Carper declared the meeting of the Board of Massage Therapy adjourned at 10:30 a.m.

Submitted by Mallory Carstens, Secretary
Board of Massage Therapy

Minutes drafted by Carrie Oldehoeft, Health Licensing Coordinator